

1859-1951

# FISH RICHARDSON P.C.



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1c841 U.S. PTG 319 09/757774

January 9, 2001

Attorney Docket No.: 07265-124005

Box Patent Application Commissioner for Patents Washington, DC 20231

Presented for filing is a new continuation patent application of:

Applicant: HOWARD DINTZIS and RENEE Z. DINTZIS

Title: THERAPEUTIC SUPPRESSION OF SPECIFIC IMMUNE

RESPONSES BY ADMINISTRATION OF OLIGOMERIC FORMS OF

ANTIGEN OF CONTROLLED CHEMISTRY

The prior application is assigned of record to Johns Hopkins University, a Maryland corporation, by virtue of an assignment submitted to the Patent and Trademark Office and recorded on February 18, 1992 at 6028/0944-51.

Enclosed are the following papers, including those required to receive a filing date under 37 CFR §1.53(b):

	<u>Pages</u>
Specification	144
Claims	9
Abstract	1
Declaration	Unsigned
Drawing(s)	52

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Date of Deposit

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Commissioner for Patents January 8, 2001 Page 2



#### **Enclosures:**

- Copy of Parent Application with drawing;
- Form PTO-1449, 3 pages, listing documents cited in the parent application(s). Please confirm that these have been considered in this application by returning a copy of the Form PTO-1449 with the examiner's initials.
- Preliminary amendment, 11 pages.
- Petition to Correct Inventorship, 2 pages.
- Response to Notice to Comply With Sequence Rules/Request For Transfer of Sequence Information, 9 pages.
- Postcard.

--This application is a continuation of (and claims the benefit of priority under 35 USC 120) of U.S. Patent Applications Serial No. ("USSN") 08/440,331, filed May 12, 1995, now pending and USSN 08/440,322, filed May 12, 1995, now pending, which are continuations of USSN 08/391,267, filed February 21, 1995, issued as U.S. Patent No. 6,022,544, on February 8, 2000, which is a continuation of USSN 07/808,797, filed Dec. 17, 1991 (now abandoned) which is a continuation-in-part of USSN 07/628,858, filed Dec. 17, 1990 (now abandoned), which is a continuation-in-part of USSN 07/354,710, filed May 22, 1989 (now abandoned), which is a continuation-in-part of USSN 07/248,293, filed Sep. 21, 1988, issued as U.S. Patent No. 5,126,131, on June 30, 1992, which is a continuation of USSN 06/869,808, filed May 29, 1986 (now abandoned), which is a continuation of USSN 06/460,266, filed Jan. 24, 1983 (now abandoned). The disclosure of the prior application is considered part of (and is incorporated by reference in) the disclosure of this application.

#### This application is entitled to small entity status.

Basic filing fee	\$355
Total claims in excess of 20 times \$9	\$216
Independent claims in excess of 3 times \$40	\$40
Fee for multiple dependent claims	\$0
Fee for Petition to Correct Inventorship	\$130
Total filing fee:	\$741

A check for the filing fee is enclosed. Please apply any other required fees or any credits to deposit account 06-1050, referencing the attorney docket number shown above.

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Commissioner for Patents January 8, 2001 Page 3

If this application is found to be incomplete, or if a telephone conference would otherwise be helpful, please call the undersigned at (858) 678-5070.

Kindly acknowledge receipt of this application by returning the enclosed postcard.

Please send all correspondence to:

GREGORY P. EINHORN Fish & Richardson P.C. 4350 La Jolla Village Drive, Suite 500 San Diego, CA 92122

Respectfully submitted,

Gregory P. Einhorn

Reg. No. 38,440

Enclosures

GPE/mzc 10066174.doc



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# FISH RICHARDSON P.C.

January 9, 2001

Attorney Docket No.: 07265-124005

**Box Patent Application** 

Commissioner for Patents Washington, DC 20231

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Applicand: Howard M. Dintzi Renee Z. Dintzis Attorney's Tho.: 07265-124005 / C-1046

Serial No.: to be assigned Filed: January 8, 2001

riled : January

Page : 10

#### Support for the Claim Amendment

The specification sets forth an extensive description of the invention in the new claims. Support for new claims directed to methods of making a non-immunogenic construct comprising at least two copies of an epitope of a T-dependent antigen bound to a non-immunogenic carrier, wherein the non-immunogenic soluble carrier has been subjected to a preparative sizing technique to remove substantially most high molecular weight non-immunogenic soluble carrier molecules before conjugation, or coupling, to two or more of the epitope molecules, is found, *inter alia*, at page 31, line 39 to page 32, line 9. Support for new claims directed to methods of making a non-immunogenic construct comprising at least two copies of an epitope of a T-dependent antigen bound to a non-immunogenic carrier, wherein soluble carrier has been subjected to a preparative sizing technique to remove substantially most high molecular weight immunogenic soluble carrier molecules after conjugation, or coupling, to two or more of the epitope molecules, is found, *inter alia*, at page 31, line 39 to page 32, line 9.

#### **iDS and FORM PTO 1449**

A copy of the Information Disclosure Statement and FORM PTO 1449 filed with the parent application is enclosed herewith.

## Sequence Listing as required by 37 CFR §§1.821(c), 1.822 and 1.823

The application has been amended to insert SEQ ID NO:'s into the specification of the application. A RESPONSE TO NOTICE TO COMPLY WITH SEQUENCE RULES/ REQUEST FOR TRANSFER OF SEQUENCE INFORMATION is filed herewith.

## Petition to Correct Inventorship under 37 CFR §1.48(b)

James K. Blodgett, John C. Cheronis, and Gary Kirschenheuter have been deleted as co-inventors; these individuals were co-inventors solely on claims pertaining to chemically-derivitized suppressing constructs (originally filed claims 20-23, 25, 33, 36, and 39-43) which, after entry of the instant amendment, will be no longer pending in the present application. A Petition to Correct Inventorship under 37 CFR §1.48(b) is being filed with this amendment.

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Dintzis et al.

Art Unit: 1644

Examiner: D. Saunders

Serial No.: 08/440,322

: May 12, 1995

Filed Title

: THERAPEUTIC SUPPRESSION OF SPECIFIC IMMUNE RESPONSES BY

ADMINISTRATION OF OLIGOMERIC FORMS OF ANTIGEN OF

CONTROLLED CHEMISTRY

**Assistant Commissioner for Patents** Washington, D.C. 20231

### RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE AND/OR AMINO ACID SEQUENCES

In response to the communication dated November 24, 1999, applicant submits herewith a Sequence Listing in computer readable form as required by 37 CFR §1.824. In addition, applicant submits a Sequence Listing as required under 37 CFR §1.823(a) and a statement under 37 CFR §1.821(f).

I hereby state that this submission, filed in accordance with 37 CFR §1.821(g), does not contain new matter.

Respectfully submitted,

Date:

Ingrid A. Beattie, Ph.D., J.D.

Reg. No. 42,306

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Darlene J. Morin

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